

Ronald H. Vickery
404 Benton Dr.
Rome, GA 30165

Proceeding 05-231

I am a hard of hearing person who depends on captions to enjoy entertainment TV programs, and stay informed about events, news, weather, and other information. Over the years, I have noted an increase in the number of hours of captions, but also a reduction in quality of live captioning. I have noted entire evenings of prime time TV that normally has excellent captions turn into unwatchable shows due to technical problems in the transmission of the captions. I also get frustrated when captions are cut off near the end of a show and I did not understand or enjoy the ending. This happens quite often.

1. Do you think there should be standards for the non-technical quality of closed captioning?

Yes, there should be standards. Pre-production captioning is usually top notch and I rarely have a complaint on their quality.

I prefer pop up captions, even if they have to be shortened to fit on the screen. This is because I want to be able to watch the person on the screen for lip-reading and listening as best I can. If captions are too long and involved, I have to focus my attention to just reading the captions.

On some things, such as a speech, it should be verbatim, but most of the time the skill of the captioner to convey the meaning, even if it is not verbatim, provides a pleasant viewing experience.

I realize that live captioning is difficult and needs to be verbatim. I have seen some captioners that do an excellent job, but quite often it is apparent the captioner has not yet developed the skill or the person is speaking too fast or difficult words are used. Since I watch and listen as best I can, I can tell when the captioner has missed phrases and did not include all that the person said. This happens quite often and I assume the captioner just got behind and could not catch up. Improvement in quality and setting standards are needed for live captioning.

2. Do you think there should be a different process to take care of technical

problems with captioning immediately?

Yes, technical problems should be addressed real time and given the same priority as poor audio or video. Viewers should have access to a contact at the video programming distributor who can determine whether or not captions are being sent out properly, and if not, to take corrective action. Technical problems are often intermittent and if they are not reported and acted on in real time, the corrective action required may not be apparent at a later time. The contact info should be prominently displayed on the video programming distributor's web site, or in newspapers, or any other advertising media the distributor uses to inform the public about its services. It should also be sent to a national database. The information should include phone, TTY and FAX numbers plus an email address. The email address should also automatically forward to a FCC address.

3. Do you think there should be a change in the complaint procedure for captioning?

Yes, as noted above, technical problems should be acted on in real time, while the problem exists. Other problems should be given a higher priority than the current regulations. If a video programming distributor occasionally or consistently provides poor captioning quality and if viewers have an easy way to inform the video programming distributor about poor captions, then more problems will be reported, and the FCC can determine problem areas. As it is now, people do not know who to write to or call, or even which company. A standard complaint form should be available on the FCC web site with some guidance for the viewer to follow, such as:

- (1) If your video programming distributor is a cable or satellite service, then this complaint should be sent to that company and a copy to the FCC. For information about the address of that company, see xxxxx., (where the xxxx's indicate some places to find the information.)
- (2) If your video programming distributor is an "over the air" TV station, your complaint should be sent to that TV station with a copy to the FCC. For information about the address of TV stations, see FCC web page XXXX, or call the FCC at xxx xxx-xxxx.
- (3) If you have a reason to believe the problems are the fault of a network, then follow either 1 or 2 above, depending on your distributor, but also file a complaint with the network. Contact information for networks can be found

at: yyyyyyy Explain your reason for thinking the network is at fault, and the name of the network.

(4) Name of Video Programming Distributor

(5) Date and time of the reported problem

(6) Your name, address, and phone number

(7) Description of the problem (for poor quality problems)

(8) Other information as outlined in the current complaint procedure.

The FCC should require a response no later than 30 days.

In the case of insufficient number of hours of captioning, the viewer has to watch over a longer period of time to justify a complaint, and for this type of complaint, the current regulations seem sufficient.

4. Do you think the FCC should set a penalty for captioning that is missing, dropped, garbled, inaccurate, etc.?

Yes, there should be fines. I do not have any idea about how large the fines should be. The FCC should compile a database of the number of complaints against a particular video programming distributor, and when that number reaches a threshold, or it become apparent the problems are continuing, the FCC should place that distributor on a watch list and set the fine accordingly.

5. Do you think "video program distributors" (broadcast, cable, satellite) should be required to file compliance reports about the amount of closed captioning they provide?

Yes, and publish that information on their web site, and be able to certify the information is correct.

6. Do you think the requirement for real-time captioning of TV news programs should be expanded beyond the "top 25" markets?

Yes, eventually. I do not have any data to make a determination as to which markets should be included nor the availability of trained captioners. Electronic Newsroom Captioning is better than nothing.

7. Do you think that filing of electronic requests for exemption from the closed captioning rules should be permitted?

I am not in a position to comment on the procedure.

8. Do you think there should be a procedure to prevent and remedy technical problems?

Yes, in addition to my comment in number 2 above, video programming distributors should monitor the quality of captions or the presence of captions and take corrective action even in the absence of complaints. It should be possible for electronic equipment to keep a running log indicating the present of captions. That equipment could be programmed with a list of programs that should be captioned and indicate an alarm if the captions are not present. Also software can be written or is already available that can count the number of misspelled words and reading level of the text. When technical problems occur the count of misspelled words goes up and the reading level would indicate something other than a normal reading level, such as "gibberish text". When a high misspelled word count is detected (or gibberish text is detected) the equipment could sound an alarm and indicate the channel number.

9. How do you feel about disclaimers we sometimes see on TV that say the provider is not responsible for the correctness of the captions?

The FCC should uphold its requirement that programming distributors be held responsible for captioning, regardless of whether it uses a captioning agency or has an in-house captioner. Additionally, if the viewer can determine that captioning problems are the fault of a network, then the network should be held responsible too.